

Appl. No. 09/808,404
Amdt. dated Feb. 13, 2006
Reply to Office Action of Oct. 21, 2005

REMARKS

In view of both the amendments presented above and the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated under the provisions of 35 USC § 102. Thus, the Applicants believe that all of these claims are now in allowable form.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, the Examiner should telephone Mr. Peter L. Michaelson, Esq. at (732) 530-6671 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Allowed claims

The Examiner has now allowed claims 4-10.

Inasmuch as claims 14-20 have been amended -- in a similar fashion as have claims 4-10, through the Applicants' immediately prior amendment dated July 26, 2005, into what the Applicants believe to be condition for allowance, the Applicants can only presume, by the lack of any comment in the present action regarding claims 14-20, that claims 14-20 are also now allowed as well and hence would appreciate a statement to that effect in the next communication to the Applicants. In a telephone conversation on February 7, 2006 between the Examiner and the undersigned, the Examiner confirmed the allowance of these claims.

Objections

In paragraph 4 of the October 21, 2005 action, the Examiner has objected to claims 2-3 and 12-13 as being dependent upon a rejected base claim. The Examiner indicated that each of these claims would be allowable if it were appropriately re-written in independent form to include all the limitations of the base and all intervening claims.

In response, the Applicants have now re-written each of claims 2 and 12 into independent form and to include the limitations of 1 and 11, respectively. Claims 1 and 11 have now been canceled.

Rejections under 35 USC § 102

Though, in paragraph 2 of the October 21, 2005 action, the Examiner has rejected claims 1-3 and 11-13 as being anticipated under the provisions of 35 USC § 102(e) by the teachings of the Huang et al patent (United States patent 6,571,245 issued to E. S. Huang et al on May 27, 2003), in light of his indication in paragraph 4 of the same action, and as noted above, that claims 2-3 and 12-13 would be allowable if re-written, the Applicants can only assume that the Examiner intended to specifically limit this rejection to solely independent claims 1 and 11. This intent is further manifested by the absence of any specific comments whatsoever in paragraph 2 concerning any of dependent claims 2-3 and 12-13. In the February 7th telephone conversation, the Examiner indicated that claims 2-3 and 12-13 were only rejected inasmuch as they depended from rejected independent claims.

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Hence, since both independent claims 1 and 11 have now been canceled and in light of the amendments made above to claims 2 and 12, this rejection is moot.

Conclusion

Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,


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30,090
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